

MENU LABELING STAKEHOLDER MEETING JANUARY 3, 2008

Introductions: Everyone introduced themselves and their company/organization.

Public Health staff each spoke to how much they appreciated industry's time, comments and guidance in developing a policy and procedure that could work for industry and public health.

Evaluation: Public Health's Peg Peterson will be working to evaluate whether menu labeling is effective or not. Are people making different food choices because of the labels?

Peg explained the stages of behavior change theory, that awareness and considering a change are considered positive steps toward new behavior.

The first method for gathering information will be through telephone surveys – adding questions to an existing survey (BRFSS). Peg and the committee discussed the challenges to this approach in this day of cell phones, and caller id.

Peg described several other methods being considered to gather data and asked for feedback. 1) surveyors would ask customers for their receipts when they left an establishment; 2) gathering sales data from the corporations. This data would remain confidential; 3) interviews with key industry representatives. Those stakeholders willing to be interviewed were asked to sign up.

Industry feedback:

- Delis are difficult, especially those in grocery stores – Peg agreed, and said they will not try to evaluate delis
- How can you know across all the menu items that customers are making a better choice if you just get sales data?
- If you were to get sales data, how would PH keep it “blind?”
- Give customers a questionnaire before going into the establishment, or put one in the menu.
- Ask customer to call to complete a survey
- Seems impossible to get data that is statistically significant – would change in illness stats work? (obesity, diabetes)
- Perhaps choose an establishment and get in depth information and compare with another establishment in the chain but outside KC.
- Baseline could be what's on menu now and in one year? Peg asked if photographing the menu would be a way to chart that – “no” was the response
- 90% of one industry's menu is customizable, how would evaluation reflect that? (other industry representatives answered “don't forget knowledge and awareness”)

The PH hot line for recording questions from industry and the public will have 4 languages recorded: English, Spanish, Cantonese, Vietnamese. English and Spanish are already up. Printed information will be available in these languages as well.

Review of questions with answers from 12-13-07:

Question 2: Stakeholders approved of PH's decision that food tags/case tags are not menus, and therefore, are exempt from the rule.

Question 3: Stakeholders approved of PH's decision that items listed as assorted or by category (e.g. pastries, donuts, chicken pieces, etc.) are exempt from the rule.

Question 4: a request for clear guidance on how to display nutrition information on the menu/menu board resulted in PH adding that "chain food establishments are required to place the labeling information that is *clear and visible* on their menus in a size and type face similar to other information" Further discussion concluded that an added phrase was necessary to define "other information" The Policy and Procedure now includes the phrase "such as price, title and description."

Stakeholders agreed it needs to be as objective as possible

without dictating design.

Provide assurances regarding enforcement – will different inspectors see things differently?

Dave Gifford of DOH stated the State Advisory required on menus in establishments serving undercooked foods states "readable" as a guideline.

Fact sheets developed and distributed by Donna:

- standard abbreviations that can be used for calories, saturated fat, and carbohydrates (cal, sat fat, carb). There are no abbreviations for trans fat or sodium, and therefore, the whole word must be used on the menu. Establishments may use the standard abbreviations or the whole word.
- artificial vs natural trans fat. It is only *artificial* trans fat that is being regulated. Industry wants PH to educate the public on the difference between "serving size" and "portion size" when it comes to labeling the amount of trans fat in a portion size.
- the difference between portion sizes 20 years ago and today. Today's portion sizes are much larger, much higher in calories. However, the number of calories that we need everyday has not increased.

Clarification: in determining if an establishment is a chain, the 80% of substantially the same menu items using a standard recipe *includes* signature alcoholic beverages.

Clarification needed: how does an establishment with "drive through" menu board offer the additional nutrition labeling at point of purchase?

What are the best ways for public health to get information out to the industry about Trans Fat and to chains about menu labeling?

- Restaurant news – WRA magazine
- Public education campaign
- Corporate officers – quality assurance – individual establishments and corporations
- Chain Leader
- Through food associations: NW Grocers, WA Food Industry, WRA (several have said they would be willing to email an announcement to their members)
- Industry education printed piece, Stakeholder committee members would be willing to review
- Educational forums for establishments, offered at different times in different locations. Committee members were asked if they would/could attend some of the forums to assist other industry members in understanding how to apply the policies and procedures. Several said they would if they could.

At the January 17 King County Board of Health meeting, the draft Policies and Procedures will be presented, and it will be requested to have comments, questions and concerns back to PH by January 31. After that time, the Policy and Procedures will be finalized. Committee members were encouraged to attend if they could.

PH will stay in contact with the committee members. This was the last scheduled meeting, and Dennis reiterated PH's great appreciation for their time and contribution. The committee will meet again if necessary before or after the August 1 deadline.

NOTE: The BOH meeting went well, and Board Chair, Julia Patterson, spoke for the Board in appreciating the time, expertise and guidance contributed by the stakeholders.